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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,348	08/08/2001	Stephen K. Scolamiero	B01-27	3028

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EXAMINER	
LEE, EDMUND H	

ART UNIT	PAPER NUMBER
1732	

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/924,348	SCOLAMIERO, STEPHEN K.	
	Examiner	Art Unit	
	EDMUND H. LEE	1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 January 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) *12-15* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11,16 and 17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 12-15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 1/7/04.

2. Applicant's election without traverse of claims 1-11 and 16-17 in Paper No. 1/7/04 is acknowledged.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bissonette et al (USPN 6093357) in view of Schichman et al (USPN 3965055) as set forth in the Office action mailed 10/7/03.

5. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bissonette et al (USPN 6093357) in view of Schichman et al (USPN 3965055) as applied to claim 1 above and further in view of Watson et al (USPN 3072968) as set forth in the previous Office action mailed 10/7/03.

6. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bissonette et al (USPN 6093357) in view of Schichman et al (USPN 3965055) and Watson et al (USPN 3072968). In regard to claim 16, Bissonette et al teach the basic claimed process including a method of forming a core of a golf ball (col 3, lns 49-53; col 10, lns 57-59; col 11, lns 8-14; col 12, lns 10-16; figs 1-3); providing a core material (col

3, lns 49-53; col 10, lns 57-59; col 11, lns 8-14; col 12, lns 10-16; figs 1-3); compression molding the core material in a mold cavity at a first predetermined temperature for a first predetermined time such that the core material becomes a partially-cured core (col 3, lns 49-53; col 10, lns 57-59; col 11, lns 8-14; col 12, lns 10-16; figs 1-3); and forming a substantially-cured core (col 3, lns 49-53; col 10, lns 57-59; col 11, lns 8-14; col 12, lns 10-16; figs 1-3). Bissonette et al does not teach placing the partially cured core in a medium comprised of solids at a second predetermined temperature for a second predetermined time. Schichman et al teach curing a rubber product by partially curing the product in a mold then curing the partially cured product in an air oven or microwave oven (col 8, lns 56-67; col 24, ln 68-col 25, lns 20); and forming a rubber composition in golf ball mold and then curing the shaped product in a hot air oven or a microwave oven (col 8, lns 56-67; col 24, ln 68-col 25, lns 20). Bissonette et al and Schichman et al are combinable because they are analogous with respect to partially curing a golf ball product and then substantially curing the golf ball product. It would have been obvious to one of ordinary skill in the art at the time the invention was made to cure the partially cured core of Bissonette et al with the hot air oven or microwave oven of Schichman et al in order to reduce cycle time by freeing up the compression mold. Watson et al teach curing rubber by contacting the rubber with solid particles having an average size of 0.002 inch to 0.1 inch (col 1, lns 40-51; col 2, lns 4-6); and using a fluid particle bed to cure instead of an oven because it does not require careful sealing, does not necessarily involve materials which are unpleasant to handle or which cause contamination of the rubber, and does not have disadvantages arising from poor heat

transfer (col 1, lns 40-51). Bissonette et al (modified) and Watson et al are combinable because they are analogous with respect to curing a rubber composition. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the fluid particle bed of Watson et al instead of the oven of Bissonette et al (modified) to cure the partially cured core of Bissonette et al in order to reduce molding complexity and ensure the molding of high quality core. In regard to claim 17, Bissonette et al do not teach the specific temperatures. Curing temperature is well-known in the molding art as an important molding parameter and the desired temperatures would have been obviously and readily determined through routine experimentation by one having ordinary skill in the art at the time the invention was made. Further, the claimed temperatures are generally well-known in the molding art and it would have been obvious to one of ordinary skill in the art at the time the invention was made to partially cure the core material of Bissonette et al at the claimed first temperature and then substantially cure the partially cured core of Bissonette et al at the claimed second temperature in order to form a high quality core.

7. Applicant's arguments filed 1/7/04 have been fully considered but they are not persuasive. Applicant argues that Bissonette et al do not teach partially curing the core material. Bissonette et al teach partially curing the core material at col 3, lns 49-54. Applicant argues that Shichman et al teach partially curing and then free curing. Though applicant's statement is true, it is not complete. Shichman et al also teach partially free-curing and then curing within an oven (col 8, lns 57-62). Applicant also argues Bissonette et al, Shichman et al, and Watson et al would not suggest the

partially curing of material in a compression mold and then substantially cured in a medium of solid particles because Watson et al teach vulcanization in a mold is undesirable. Watson et al is concerned with final curing of a rubber product. Here, the final curing of the golf ball core of Bissonette et al (modified) occurs in an oven. The substitution of the particle bed of Watson et al for the oven of Bissonette et al (modified) would not require proper sealing and reduce the risk of poor heat transfer.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ladd et al (USPN 6180040) teaches curing a partially cured golf ball core assembly. Brustad et al (USPN 5051226) teach using a fluid particle bed to

cure plastic components. Gendreau et al (USPN 4692497) teach a two step curing process to form a golf ball.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 571.272.1204. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 571.272.1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EDMUND H. LEE
Primary Examiner
Art Unit 1732

EHL

4/5/04